

S/N 10/585,903

In reply to the Office Action dated January 6, 2010

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks.

Claim 3 has been amended and is supported in the specification at, for example, paragraphs [0022] and [0026] and FIGs. 1A, 1B, 2A and 2B. No new matter is added.

Deficient Office Action

The office action received contains errors with the wrong claims being identified as rejected. In addition, the cited references in the statements of the rejections do not coincide with the references discussed in the body of the rejections. Applicants' representative discussed these errors with the examiner and have not yet received a revised office action. Therefore, Applicants respectfully request that issuance of a subsequent office action be made non-final.

35 USC § 103 Rejections

Claims 2, 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akira et al. (JP 09-197394) in view of Mizutani et al. (US 6,258,666) in view of Frederick (US 4, 373,611). Applicants respectfully traverse this rejection.

Claim 1 appears to be discussed in the body of the rejection but is not cited as being rejected. And, Mizutani is cited in the statement of the rejection but Stadtmueller is discussed in the body of the rejection. Therefore, Applicants request correction of the rejection.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akira et al. (JP 09-197394) in view of Frederick (US 4, 373,611) as applied to claim 1 and further in view of Mizutani et al. (US 6,258,666). Applicants respectfully traverse this rejection.

The body of the rejection does not address the features of claim 3, so it is not clear whether claim 3 was intended to be included in the rejection. In addition, claim 1 was not rejected over Akira in view of Frederick, as indicated in the statement of this rejection. Applicants request review and correction of the rejection.

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Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stadtmueller (US 5,891,297) in view of Frederick (US 4,373,611) as applied to claim 1 and further in view of Mizutani et al. (US 6,258,666). Applicants respectfully traverse this rejection.

The body of the rejection does not address the features of claim 3, so it is not clear whether claim 3 was intended to be included in the rejection. In addition, claim 1 was not rejected over Stadtmueller in view of Frederick, as indicated in the statement of this rejection. Applicants request review and correction of the rejection.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Akira et al. (JP 09-197394) or Stadtmueller (US 5,891,297) in view of Frederick (US 4,373,611) and Mizutani et al. (US 6,258,666) as applied to claim 3 and further in view of McQuiston (US 3,830,441). Applicants respectfully traverse this rejection.

Applicants request clarification of this rejection since the basis of the rejection of claim 3 was not set forth clearly in the earlier part of office action.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Dated: April 6, 2010

Respectfully submitted,

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